



GATES & COOPER LLP
COMBINED DECLARATION AND POWER OF ATTORNEY
FOR UTILITY APPLICATION USING AN APPLICATION DATA SHEET

As a below named inventor I declare that:

I believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**USER INTERFACE ELEMENTS OF A SHEET SET MANAGER FOR A GRAPHICS
PROGRAM**

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 10/800,877 filed on March 15, 2004
☐ as amended on _____ (if applicable);

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto); including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

George H. Gates	Registration No. 33,500
Victor G. Cooper	Registration No. 39,641
Karen S. Canady	Registration No. 39,927
William J. Wood	Registration No. 42,236
Jason S. Feldmar	Registration No. 39,187
Stefanie Howell	Registration No. 45,929

I authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Gates & Cooper LLP to the contrary.

Please direct all correspondence in this case to the firm of Gates & Cooper LLP at the address indicated below:

CUSTOMER NUMBER 22462
Gates & Cooper LLP
Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, California 90045
(310) 641-8797

All statements made herein of my own knowledge are true and statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are

(G&C 30566.318-US-01)

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


(1)	Full Name Of Inventor	Family Name GARCIA	First Given Name JOSE	Second Given Name MADEIRA DE FREITAS
Signature of Inventor(1):			Date: 10 May '04	Country of Citizenship US
(2)	Full Name Of Inventor	Family Name FORBES, III	First Given Name JOHN	Second Given Name GIRAUD
Signature of Inventor(2):			Date: 10-May-04	Country of Citizenship US
(3)	Full Name Of Inventor	Family Name BEHR	First Given Name JAY 10-MAY-04	Second Given Name ALLAN
Signature of Inventor(3):			Date:	Country of Citizenship US
(4)	Full Name Of Inventor	Family Name LU	First Given Name QUN	Second Given Name
Signature of Inventor(4):			Date:	Country of Citizenship PRC
(5)	Full Name Of Inventor	Family Name STOECKEL, JR.	First Given Name THOMAS	Second Given Name ALLEN
Signature of Inventor(5):			Date: 3-2-04	Country of Citizenship US
(6)	Full Name Of Inventor	Family Name MASON	First Given Name KAREN	Second Given Name ELAINE
Signature of Inventor(6):			Date: 10-MAY-04	Country of Citizenship US



(G&C 30566318-US-01)

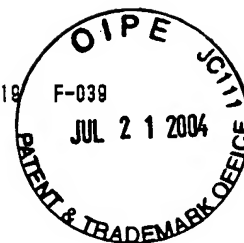
-2-

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(3)	Full Name Of Inventor	Family Name BEHR	First Given Name JAY	Second Given Name ALLAN
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Signature of Inventor(4): 			Date: 07/20/2004	Country of Citizenship PRC
(5)	Full Name Of Inventor	Family Name STOECKEL, JR.	First Given Name THOMAS	Second Given Name ALLEN
Signature of Inventor(5):			Date:	Country of Citizenship US
(6)	Full Name Of Inventor	Family Name MASON	First Given Name KAREN	Second Given Name ELAINE
Signature of Inventor(6):			Date:	Country of Citizenship US



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§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) it establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
- (2) it refutes, or is inconsistent with, a position the applicant takes in:
 - (i) opposing an argument of unpatentability relied on by the Office, or
 - (ii) asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

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